

## REMARKS

Reconsideration and further examination of the subject patent application in view of the RCE submitted herewith and in view of the Amendments and the following Remarks is respectfully requested. Claims 1-4, 6, 8-11, 13-22, 24-35, 37, 39-42 and 44-57 are pending and have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. No. 6,493,695 to Pickering et al. ("Pickering") in view of U.S. Pat. No. 6,366,575 to Barkan et al. ("Barkan") and U.S. Pat. No. 6,775,378 to Villena et al. ("Villena"). Claims 1, 10, 11, 22, and 32 have been amended to clarify that they refer to a current task which comprises a customer contact which is interrupted, and abandonment of the current task (see P. 6, ln 5-9). After a careful review of the claims and references, it is believed that the claims are in allowable form and therefore a Notice of Allowance is respectfully requested.

It is noted first that independent claims 1, 22 and 32 are limited to interrupting a first agent from a first task and instructing the first agent to abandon that task currently being handled and switching to a second task responsive to the determining the system overloaded condition. The Office Action admits that "Pickering in view of Barkan does not explicitly disclose . . . reassigning a first agent from a first task to a second task responsive to

the determining the system is overloaded condition. However, the Office Action asserts that Villena discloses reassigning a first agent from a first task to a second task responsive to the determining the system overloaded condition (abstract, col. 5, line 32 - col. 6, line 1, and col. 8, lines 32-47).

It should be noted that the claim clearly indicates that the first agent is interrupted and instructed to abandon an already assigned task which is in the process of being currently handled. The specification makes this even more explicit with the statement that "the 'check systems status' workflow interrupts agents, requesting that they abandon one task for another that has become more important" (specification, page 6, lines 4-5). However, Villena fails to disclose this requirement for interruption of a task in the process of being handled to perform another task.

For example, the Abstract of Villena refers to ability of agent terminals to switch between inbound and outbound calls, with no mention of interruption of an ongoing task or a request to abandon the ongoing task. Further, the cited passage at col. 5, line 32 - col. 6, line 6 merely describes assigning "the next available agent" to calls regardless of the agent's prior assignment (col. 5, lines 37-39; 50-52; and 63-64). Thus, the Villena is not interrupting handling of a current task, but is simply assigning an available agent (i.e. an agent who has completed the task and is waiting for an assignment) to the next task. There is no mention of interruption or instruction to abandon a currently handled task as claimed. Similarly, col. 8,

lines 32-47 of Villena merely describe assigning more agent terminals to processing inbound calls by reassigning the first available agents. Again, only already available agents are reassigned, and there is no teaching of the claimed interruption, or instruction to abandon the currently handled task.

As noted above, the Office Action concedes that Pickering and Barkan et al. fail to teach this reassignment claim element. Since Villena also fails to teach or suggest this claim element, the combination fails to teach or suggest each and every claim limitation. Since the combination fails to teach or suggest each and every claim limitation, the independent claims 1, 22 and 32 are distinguishable over the combination. In addition, the dependent claims 2-4, 6, 8-11, 13-21, 24-31, 33-35, 37, 39-42, and 44-57 are believed to be distinguishable because they depend from allowable base claims. In addition, claim 11 has been amended to claim changing an agent to available status in response to exceeding a threshold (see p. 6, lines 1-15). This feature is also not disclosed by the references.

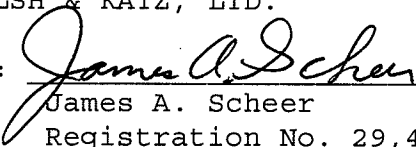
For the foregoing reasons, applicant submits that the subject application is in condition for allowance and earnestly solicits an early Notice of Allowance. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the an extension of time fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920.

Respectfully submitted,

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